(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

CIVIL APPLICATION NO. 47 OF 2004
IN FIRST APPEAL NO. 29 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. S. D. Lotlikar, Senior Advocate with Mr. R. Sardessai, advocate for the applicant.

Mr. R. G. Ramani, advocate for the respondent.

CORAM : B. H. MARLAPALLE, J.

DATE : 10th December, 2004.

P.C.:

Heard Mr. Lotlikar, learned Senior Counsel with Mr. R. Sardessai, for the applicant and Mr. Ramani, learned advocate for the respondent. In First Appeal No.29 of 2004, the decree for refund of Rs.4,00,000/- with interest at the rate of 18% per annum passed on 16th December, 2003, has been challenged and the said appeal has been admitted by this Court.

2. Hence, this application for stay to the decree during the pendency of the appeal.

3. The application is allowed in terms of prayer clause 3(a), subject to the applicant Company furnishing a Bank Guarantee for the decretal amount. Needless to mention that the Bank Guarantee so furnished shall be renewed from time to time during the pendency of the appeal. Bank Guarantee to be furnished within four weeks from today.

B. H. MARLAPALLE, J.

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